



PUBLIC COMMENT SESSION SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

Tuesday, March 17, 2009

7:00 PM

Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Limited to forty [40] minutes, four [4] minutes per person.
Comments MUST be related to a specific agenda item
slated for action at the meeting.

PLEASE PRINT

	FULL NAME	AGENDA ITEM FOR DISCUSSION
1	Berry Nichols	#8 - #10
2	Steve Cornelius	#10 (4)
3	Sam Wilson	? Month Back Tax Issue!
4	Donnie Swafford	#8
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name:

GEORGE BRANCHARD

(Please Print)

Council Member Signature:

George Branchard

Meeting Date:

3/12/09

Item for Discussion/Vote:

3/12/09 COUNCIL MEETING

Reason for Absention:

I was not present for original meeting/discussion.

I have a personal/familial interest in the issue.

Other:

Elizabeth G. Hulse

Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: March 17, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Second reading of an Ordinance 2009-04 "AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$800,000 TO DEFRAY THE COST OF ACQUIRING THREE FIRE TRUCKS, AND OTHER MATTERS RELATING THERETO."

BACKGROUND OR HISTORY:

This is the Capital Lease ordinance for the three fire trucks approved in the 2008-2009 budget.

SPECIAL CONSIDERATIONS OR CONCERNS:

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly:

STAFF RECOMMENDATION:

Staff recommends that Ordinance 2009-04 be approved for second reading.

FINANCIAL IMPACT:

Debt service payments for the next five years (2010 to 2014) of approximately \$175,000k based on estimated 3% interest rate on the Capital Lease. Per discussion with attorney, recent capital leases for governments have been below 3%.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available? Yes / No
If yes, who is matching and how much:

ATTACHMENTS

Ordinance 2009-04 prepared by attorney
Proposed Schedule prepared by attorney
Example Loan Amortization Schedules

Reviewed By/ Initials:

[Signature]
County Attorney

[Signature]
Finance

Ⓢ County Treasurer believes CC should amend the budget and use undesignated fund balance. CC would then determine the manner to build back the balance in future budgets. *[Initials]*
Grants Procurement

Submitted or Prepared By:

[Signature]
Department Head/Elected Official

Approved for Submittal to Council:

[Signature] Ⓢ see note
Date Surrell, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

SCHEDULE

OCONEE COUNTY, SOUTH CAROLINA
EQUIPMENT LEASE-PURCHASE, 2009
FILE NO.: TBA

<u>Date (2009)</u>	<u>Action</u>	<u>Responsible Parties</u>
February 25	Agenda Deadline	McNair Law Firm
March 3	First Reading of Lease-Purchase Ordinance	County Council; County Administrator; County Attorney
March 17	Second Reading of Lease-Purchase Ordinance	County Council; County Administrator; County Attorney
March 26	Agenda Deadline	McNair Law Firm
April 7	Third Reading and Enactment of Lease-Purchase Ordinance	County Council; County Administrator; County Attorney
April 8	Distribute Request for Proposals	McNair Law Firm
April 22	Receipt of Bids	County Administrator; Chairman of County Council; McNair Law Firm
May 5	Pre-Closing	Certain County Officials; County Attorney; McNair Law Firm
May 6	Closing	Certain County Officials; County Attorney; McNair Law Firm

Loan Amortization Schedule

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v.1.4

Download from [Vertex42.com](http://www.vertex42.com)

Inputs

Loan Amount	\$	800,000
Annual Interest Rate		3.00%
Term of Loan in Years		5
First Payment Date		3/1/2010
Frequency of Payment		Annually

Summary

Rate (per period)	3.000%
Total Payments	\$873,418.29
Total Interest	\$73,418.29
Interest Savings	(\$0.00)

Payment (per period) \$174,683.66

Amortization Schedule

No.	Due Date	Payment Due	Additional Payment	Interest	Principal	Balance
						\$800,000.00
1	3/1/2010	174,683.66		24,000.00	150,683.66	649,316.34
2	3/1/2011	174,683.66		19,479.49	155,204.17	494,112.17
3	3/1/2012	174,683.66		14,823.37	159,860.29	334,251.88
4	3/1/2013	174,683.66		10,027.56	164,656.10	169,595.78
5	3/1/2014	174,683.66		5,087.87	169,595.78	0.00

STATE OF SOUTH CAROLINA
OCONEE COUNTY COUNCIL
ORDINANCE 2009-04

AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT IN THE AMOUNT OF NOT EXCEEDING \$800,000 TO DEFRAY THE COST OF ACQUIRING THREE FIRE TRUCKS; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Findings and Determinations. The County Council (the "Council") of Oconee County, South Carolina (the "County"), hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended (the "Code"), the County operates under the Council-Administrator form of government and the Council constitutes the governing body of the County.

(b) Section 4-9-30 of the Code empowers all counties to lease personal property and to make and execute contracts.

(c) The County desires to enter into a lease-purchase agreement (the "Lease Agreement") with a bank or other financial institution selected by the Chairman of County Council and the County Administrator for the purpose of financing the acquisition of three fire trucks (the "Equipment").

(d) The Lease Agreement will not constitute a "financing agreement" and the Equipment will not constitute an "asset" as such terms are defined in Section 11-27-110 of the S.C. Code. Thus, the amount of the Lease Agreement will not be included when calculating the County's constitutional debt limit under Article X, Section 14 of the Constitution of the State of South Carolina.

(e) The Lease Agreement will be subject to annual appropriation by the County Council.

(f) It is in the best interest of the County to acquire the Equipment by entering in to the Lease Agreement. The Lease Agreement will enable the County to purchase the Equipment which will provide service necessary or useful to the operations of the County government.

Section 2. Approval of Lease/Purchase Financing; Delegation of Authority to Determine Certain Matters Relating to the Lease/Purchase Financing. The Equipment shall be acquired pursuant to a lease purchase financing which is hereby approved in a principal amount of not exceeding \$800,000. A Request for Proposals in substantially the form set forth as Exhibit A hereto shall be distributed to various banks and other financial institutions in the County and other areas as the County Administrator determines. Without further authorization, the County Council hereby delegates to the Chairman of County Council and the County Administrator the authority to (a) determine the payment schedule under the Lease Agreement; (b) determine the date and time for receipt of bids under the Request for Proposals; and (c) award the sale of the lease-purchase financing to the lowest responsible bidder (the "Bidder") therefor in accordance with the terms of the Request for Proposals, provided the net interest cost does not exceed 8% per annum.

Section 3. Approval of Lease Agreement. Without further authorization, the Chairman of County Council and County Administrator are authorized to approve the form, terms and provisions of the Lease Agreement proposed by the Bidder. The County Administrator is hereby authorized, empowered and directed to execute, acknowledge and deliver the Lease Agreement in the name and on behalf of the County. The Lease Agreement is to be in the form as shall be approved by the Chairman of County Council and County Administrator, the County Administrator's execution thereof to constitute conclusive evidence of such approval.

Section 4. Execution of Documents. The Chairman of County Council, County Administrator, and Clerk to County Council are fully empowered and authorized to take such further action and to execute and deliver such additional documents as may be reasonably requested by the Bidder to effect the delivery of the Lease Agreement in accordance with the terms and conditions therein set forth, and the transactions contemplated hereby and thereby, and the action of such officers in executing and delivering any of such documents, in such form as the County Administrator shall approve, is hereby fully authorized.

Section 5. Federal Tax Covenant. The County, as lessee, agrees and covenants that it will not take any action which will, or fail to take any action which failure will, cause interest components of the lease payments under the Lease Agreement to become includable in the gross income for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended (the "IRC") and regulations promulgated thereunder in effect on the date of original issuance of the Lease Agreement and that it will comply with all applicable provisions of Section 103 and Sections 141 through 150 of the IRC, and any regulations promulgated thereunder, to maintain the exclusion from gross income for federal income tax purposes of the interest portion of the lease payments under the Lease Agreement, and to that end the County shall:

- (a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Lease Agreement is outstanding;
- (b) establish such funds, make such calculations and pay such amounts in the manner and at the times required in order to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and

- (c) make such reports of such information at the times and places required by the IRC.

The County covenants that, in accordance with Section 265(b)(3) of the IRC, it is hereby designating the Lease Agreement as a "qualified tax-exempt obligation" and that it does not reasonably anticipate that it will issue more than \$30,000,000 in tax-exempt obligations which are not "private activity bonds" during calendar year 2009, all within the meaning of Section 265(b) of the IRC.

The County will timely file Form 8038-G in accordance with the applicable regulations of the Internal Revenue Service.

Section 6. Filings with Central Repository. In compliance with Section 11-1-85 of the Code, the County covenants that it will file or cause to be filed with a central repository for further availability in the secondary bond market when requested: (a) a copy of the annual audit of the County within thirty (30) days of the County's receipt thereof, and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which, in the opinion of the County, adversely affects more than five percent (5%) of the County's revenue or its tax base.

Section 7. Severability. All orders, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the execution of the Lease Agreement are, to the extent of such conflict, hereby repealed.

Section 8. Effective Date. This Ordinance shall be effective upon its enactment by the County Council for Oconee County, South Carolina.

Enacted this _____ day of _____, 2009.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Chairman, County Council
Oconee County, South Carolina

(SEAL)

ATTEST:

By: _____
Clerk to County Council
Oconee County, South Carolina

Exhibit A

Form of Request for Proposals

REQUEST FOR PROPOSALS

**Geonee County, South Carolina
Equipment Lease-Purchase Financing, 2009**

Response Due: _____, 2009
12:00 Noon, South Carolina Time

Bank Qualified

Geonee County, South Carolina (the "County"), is requesting proposals from various banks and financial institutions for not exceeding \$800,000 tax-exempt lease-purchase financing to defray the costs of certain equipment as described herein.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION OR BY E-MAIL, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Mailed or Hand Delivered Bids: Each mailed or hand delivered proposal shall be enclosed in an envelope marked "Proposal for 2009 Equipment Lease Purchase" and should be mailed or delivered to:

Geonee County, South Carolina
Attn: Dale Surret, County Administrator
415 South Pine Street
Walhalla, SC 29691

Facsimile Bids: The County will accept the facsimile transmission of a proposal at the risk of the bidder. The County shall not be responsible for the confidentiality of bids submitted by facsimile transmission. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile transmission should be transmitted to the attention of Dale Surret, County Administrator, Fax No. 864.638.4246.

E-Mail Bids: Electronic proposals may be e-mailed to the attention of Dale Surret, E-mail address: dsurret@coconecsc.com.

Please note that this solicitation is also being sent to a number of other institutions as well and that the County reserves the right to select the proposal determined to be the most

advantageous to the County. The selection process will be heavily weighted toward lowest financing costs. The County reserves the right to reject any or all bid proposals as well as negotiate with the lowest responsible bidder.

L. Terms and Conditions:

- (a) Amount to be Financed: Not exceeding \$800,000.
- (b) Payments: Five (5) approximately equal annual principal and interest payments under the Lease Agreement will be due and payable March 1, 2010 to and including March 1, 2014. Unless otherwise designated by a bidder, interest on the lease will be calculated based on a 360-day year comprising twelve 30-day months.
- (c) Guarantee of Interest Rate: The interest rate, costs and other terms of the bid submitted must be guaranteed from the date of your proposal to the closing date (expected to be approximately _____, 2009).
- (d) Equipment: Three (3) fire trucks.
- (e) Form of Equipment Lease-Purchase Agreement: A bidder's proposed form of lease agreement ("Lease Agreement") should be provided within three (3) business days of the award of the successful proposal.
- (f) Non-appropriation: A non-appropriation provision acceptable to the County must be included in the Lease Agreement.
- (g) Non-substitution: A non-substitution provision is not permitted to be included in the Lease Agreement.
- (h) Deficiency Judgment: No deficiency judgment can be assessed or imposed against the County nor will the full faith, credit and taxing power of the County be pledged to the payment of the Lease Agreement.
- (i) Title: Title to the equipment will be in the name of the County subject to the lessor's rights under the Lease Agreement. The Lease Agreement must allow the County to dispose of various items of equipment in its discretion provided the value of the remaining items of equipment is not less than the outstanding balance of the lease at the time of such disposition.

- (j) Acquisition/Escrow Account: The County will require the successful bidder to transfer by Federal funds the full amount of this financing on the date of the closing. If a bidder requires that the Acquisition/Escrow Account be held by it or its designee, the bidder must so indicate in its proposal. Otherwise the County retains the right to designate a bank to act as custodian of the Acquisition/Escrow Account. The Acquisition/Escrow Account must be an interest bearing account. Interest earnings in the Acquisition/Escrow Account must accrue to the County. This Account will be structured to allow payments therefrom to be made (1) to the County to reimburse it for amounts previously expended on the equipment; and (2) to the equipment vendor for payment of the equipment as directed by the County.
- (k) Costs of Issuance: All such costs relating to the preparation of the Lease Agreement and fees of special counsel will be paid by the County. Any fees and costs of the bidder to be paid by the County must be stated in the response to the Request for Proposal. The Lease Agreement must allow the County to pay its legal fees and costs related to execution and delivery of the Lease Agreement out of the proceeds of the Lease Agreement.
- (l) Insurance: The County is insured through the South Carolina Insurance Reserve Fund. The Equipment will be insured in a similar manner at face value. The lessor may be listed as a loss-payee, but may not be listed as an additional insured under the County's insurance coverage.
- (m) Lease Agreement Designated As Qualified Tax-Exempt Obligations: The County will designate the Lease Agreement as a "qualified tax-exempt obligation" for purposes of Section 265 of the Internal Revenue Code of 1986 relating to the ability of financial institutions to deduct from income for federal income tax purposes interest expense that is allocable to carrying and acquiring tax-exempt obligations.
- (n) Closing: The County expects to accept the successful proposal on _____, 2009, and to close the transaction on or about _____, 2009.

II. Proposal Requirements.

- (a) The proposal must be in writing.
- (b) No response may be modified by a bidder after it has been submitted.
- (c) Proposals should include: the name, address, and telephone number of your institution; the primary contact; and identity of legal counsel, if any.

- (d) Proposals must be accompanied with a list of all requirements and conditions associated with the bid.
- (e) Proposals must indicate a single interest rate for the lease term and include an amortization schedule showing annual payment amounts for the term of the financing.
- (f) Proposals must provide full disclosure of all financing costs, including any closing, legal, and tax opinion charges.
- (g) Any prepayment penalty or other fee requirements should be detailed in the proposal.

III. Evaluation of Proposals and Award.

After the proposals are received, they will be evaluated by the officials of the County based on various factors, including the interest rate, redemption terms, additional covenants and terms, if any, and other conditions set forth therein. The County reserves the right to reject any and all bids or to waive irregularities in any proposal. The County expects to accept the successful proposal by __:00 p.m. on _____, 2009.

IV. Legal Opinion. The execution and delivery of the Lease Agreement is subject to the approving opinion of the McNair Law Firm, P.A., Special Counsel.

V. Tax Exemption and Other Tax Matters. The Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, imposes various restrictions, conditions and requirements relating to the excludability from gross income for federal income tax purposes of interest paid on obligations such as the Lease Agreement. The County will covenant to comply with certain covenants, restrictions, conditions and requirements designed to ensure that interest paid under the Lease Agreement will not become includable in gross income of the recipients thereof for federal income tax purposes. Failure to comply with these covenants could cause interest paid under the Lease Agreement to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Lease Agreement.

The Code imposes an alternative minimum tax on a taxpayer's "alternative minimum taxable income" if the amount of such alternative minimum tax is greater than the amount of such taxpayer's regular income tax. The interest component of the Lease Agreement is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations nor is such interest taken into account in determining adjusted current earnings for the purpose of computing the alternative minimum tax imposed on certain corporations.

The accrual or receipt of interest on the Lease Agreement may affect the federal income tax liability of the lessor. The extent of these other tax consequences will depend upon the recipient's particular tax status or other items of income or deduction. Purchasers of the Lease Agreement are advised to consult their tax advisors as to the tax consequences of purchasing or holding the Lease Agreement.

VI. Investment Letter. The lessor will be requested to execute a letter to the County in substantially the form submitted with this Request for Proposals.

VII. Additional Information.

If you should have any questions regarding the Request for Proposals, you should contact:

Dale Surrett
Oconee County Administrator
864.638.4244
e-mail: dsurrett@oconeesc.com

Kendra Brown, CPA, CGFO
Assistant County Administrator for
Administrative Services and Finance
864.638.4235
email: kbrown@oconeesc.com

Daniel R. McLeod, Jr.
McNair Law Firm, P.A.
864.271.4940
email: dmcleod@mcnair.net

Michael W. Burns
McNair Law Firm, P.A.
864.271.4940
email: mburns@mcnair.net

s/ Reg Dexter
Chairman of County Council,
Oconee County, South Carolina

Dated: _____, 2009.

STATE OF SOUTH CAROLINA
OCONEE COUNTY
RESOLUTION 2009-04

**“A RESOLUTION CELEBRATING
NATIONAL TELECOMMUNICATIONS WEEK
APRIL 12 – 18, 2009”**

WHEREAS, Oconee County Council recognizes that those who perform telecommunications duties within the County serve as the first contact citizens have in an emergency; and

WHEREAS, Oconee County Council recognizes that these individuals provide an indispensable link between public safety workers and the public; and

WHEREAS, Oconee County Council recognizes that because of the hard work and dedication of our telecommunications workers, Oconee County is a much safer place for our citizens to work and live; and

WHEREAS, each year the Government of the United States designates the second week of April as National Telecommunications Week;

NOW THEREFORE, BE IT RESOLVED in meeting duly assembled that Oconee County Council hereby resolves that the week of April 12 – 18, 2009, shall be designated as Telecommunications Week in Oconee County.

APPROVED AND ADOPTED this 17th day of March, 2009.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Reginald T. Dexter, Chairman of County Council,
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council,
Oconee County, South Carolina

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

RESOLUTION 2009-05

Resolution of the Oconee County Council

WHEREAS, The Congress of the United States has appropriated \$1.3 Million for a study to determine the need and feasibility of constructing an interstate highway (hereinafter referred to as "I-3") from Savannah, Georgia, to Knoxville, Tennessee; and

WHEREAS, I-3, if constructed would possibly traverse through or near Oconee County, South Carolina; and

WHEREAS, neither the State of South Carolina nor Oconee County was consulted beforehand on legislation introduced in the United States Congress by the Georgia Congressional Delegation, regarding the placement of an interstate highway through the Southern Appalachian mountains; and

WHEREAS, the construction of a new federal interstate highway through or in close proximity to Oconee County, South Carolina, would have a devastating environmental, economic, cultural and aesthetic impact on Oconee County, including the Sumter National Forest and the Blue Ridge Escarpment area; and

WHEREAS, Oconee County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council, prefers such monies be allocated for the repair of existing highway infrastructure, including unsafe bridges; and

WHEREAS, Oconee County is in support and solidarity with our neighboring counties and towns in northeast Georgia and western North Carolina, who have expressed their clear opposition to this interstate highway;

NOW, THEREFORE, BE IT RESOLVED that Oconee County and the County Council of Oconee County, South Carolina are respectfully opposed to a federally-funded interstate corridor called I-3 (or any other name for such a corridor), are respectfully opposed to this use of federal funds to even support a study for such a corridor, and are respectfully opposed to such a corridor going in, through, or near Oconee County, South Carolina.

THIS RESOLUTION WILL TAKE EFFECT immediately upon enactment.

RESOLVED & ADOPTED in meeting duly assembled this 17th day of March, 2009.

ATTEST:

Elizabeth Hulse
Clerk to County Council
Oconee County, South Carolina

Rex Dexter
Chairman of County Council
Oconee County, South Carolina

STATE OF SOUTH CAROLINA

OCONEE COUNTY

RESOLUTION 2009-06

(Oconee County Equipment Lease Purchase)

RELATING TO THE DECLARATION OF INTENT BY OCONEE COUNTY, SOUTH CAROLINA, TO REIMBURSE CERTAIN EXPENDITURES PRIOR TO THE EXECUTION AND DELIVERY BY THE COUNTY OF AN EQUIPMENT LEASE PURCHASE AGREEMENT.

WHEREAS, the Internal Revenue Service and U.S. Treasury Department have promulgated Section 1.150-2 of the Treasury Regulations (the "Regulations") that authorizes an issuer to reimburse itself for expenditures made with respect to projects prior to the issuance of tax-exempt bonds for such projects; and

WHEREAS, the Regulations require that the governing body of the political subdivision declare an official intent to reimburse an expenditure prior to the incurrence of the expenditure; and

WHEREAS, Oconee County, South Carolina (the "County") anticipates incurring certain expenditures in an approximate amount of not exceeding \$340,000 (the "Expenditures") with respect to the acquisition of a fire truck (the "Project"), prior to the execution and delivery by the County of a tax-exempt equipment lease purchase agreement for such purpose.

NOW THEREFORE, BE IT RESOLVED, by the County Council of Oconee County, South Carolina, as follows:

Section 1. The County Council hereby declares that this Resolution shall constitute its declaration of official intent pursuant to Regulation § 1.150-2 to reimburse the County from the proceeds of a tax-exempt equipment lease purchase agreement to be entered into pursuant to Title 4, Chapter 9, Article 1, of the Code of Laws of South Carolina, 1976, as amended, for Expenditures with respect to the Project.

Section 2. The County understands that Expenditures which may be reimbursed are limited to Expenditures which are (a) properly chargeable to capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Regulation §1.150-2) under general federal income tax principles; or (b) certain de minimis or preliminary expenditures satisfying the requirements of Regulation §1.150-2(f).

Section 3. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three (3) years after the original Expenditures.

Section 4. The source of funds for the Expenditures with respect to the Project will be the County's general fund.

Section 5. This Resolution shall be in full force and effect from and after its adoption as provided by law. This Resolution shall be made available for inspection during normal business hours by the general public at the office of the Clerk to County Council.

Adopted in a meeting duly assembled this 17th day of March, 2009.

OCONEE COUNTY, SOUTH CAROLINA

By:

Reginald T. Dexter, Chairman, County Council,
Oconee County, South Carolina

(SEAL)

ATTEST:

By: _____
Elizabeth Hulse, Clerk to County Council
Oconee County, South Carolina

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: 3-17, 2009
COUNCIL MEETING TIME: 7:00 PM**

ITEM TITLE OR DESCRIPTION:

ATAX grant request- Devils Fork State Park in the amount of \$7,453.45 for lantern holders for campsites. These lantern holders will be placed at each campsite to eliminate nails and stakes being driven into existing trees, which leads to damage to the trees and will also enhance the camping experience for the visitor. This request approved in ATAX Committee on 02/25/09 by unanimous vote.

BACKGROUND OR HISTORY:

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council. All ATAX grant recipients are required by state law to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the ATAX chairperson until the grant is considered complete, and then it is stored by the PRT office.

SPECIAL CONSIDERATIONS OR CONCERNS:

Due to this request being outside the normal requests for advertising and promotion, a pre-approval letter was secured from the State Tourism Expenditure Review Committee.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? No-ATAX grant disbursement. (new 2001-15 on Procurement's website)

If no, explain briefly:

STAFF RECOMMENDATION:

Approval of ATAX grant request of \$7,453.45 to the Devil's Fork State Park.

FINANCIAL IMPACT:

Current ATAX fund balance is \$19,592.91. We have two ATAX requests this grant cycle. If both requests are approved by County Council, the remaining balance will be \$2,139.46.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes, Devils Fork is matching with approx. \$5,000

If yes, who is matching and how much:

ATTACHMENTS:

Devil's Fork Grant Request and State Tourism Expenditure Review Pre-Approval letter.

Reviewed By/ Initials:

____ County Attorney

VB

____ Finance

OM

____ Grants

____ Procurement

Submitted or Prepared By:

Approved for Submittal to Council:

Department Head/Elected Official

Dale Surratt
Dale Surratt, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: March 17, 2009
COUNCIL MEETING TIME: 7:00 PM**

ITEM TITLE OR DESCRIPTION:

State ATAX Grant- Tourism video to assist with funding of an Oconee County Tourism Video and commercial for multi purpose use by many different organizations and agencies. Request approved by ATAX Committee on 02-25-09 by a unanimous vote. This is the same project approved by Council for local ATAX funds last meeting. This is for use of State ATAX funds, which is a different grant.

BACKGROUND OR HISTORY:

This project is a joint effort of the Parks, Recreation & Tourism department, the Mountain Lakes CVB and the Greater Oconee Chamber of Commerce. The video will pull together a wide variety of information in order to produce a tourism video about Oconee County. The 12-15 minute video will be made as widely available as possible. It can be used as an orientation by groups such as developers, realtors, the Oconee Heritage Center, by county schools, libraries, streamed on web sites (county, tourism, Oconee Heritage Center, Chambers, etc.), distributed to tourists, businesses, and industries, as well used as a major tourism marketing tool by many different Oconee County agencies.

STAFF RECOMMENDATION:

Approval of ATAX grant for \$10,000.00 to the Greater Oconee Chamber of Commerce to assist with the production of an Oconee County tourism video.

FINANCIAL IMPACT:

Current ATAX fund balance is \$19,592.91. We have two ATAX requests this grant cycle. If both requests are approved by County Council, the remaining balance will be \$2,139.46.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? N/A (review 72005-17 on Procurement's website)

If no, explain briefly:

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes

If yes, who is matching and how much: Local ATAX

Other funds are being sought from a variety of agencies. This request accounts for approximately 40% of the total cost of the video.

Submitted or Prepared By:

Phil Shirley
Director of Parks, Recreation & Tourism
(Department Head/Elected Official)

Approved for Submittal to Council:


Dale Surrency,
Oconee County Administrator

Reviewed By/ Initials:

 County Attorney JP Finance UK Grants Procurement

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: March 17, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Award the purchase of one used 2002 Terex 40 ton rigid frame back-dump haul truck model TR-40 for the Rock Quarry to Interstate Equipment Company, Columbia, SC, as the authorized dealer for Terex in the total amount of \$116,923 which includes a trade in amount of \$67,000.
Approval is also requested for the Rock Quarry Manager and Foreman to travel to Irvin, Texas to inspect the used Terex truck.

BACKGROUND OR HISTORY:

Currently the Rock Quarry utilizes two 40 ton Terex back-dump trucks on a daily basis. The Quarry also owns a 1989 Fuelid 25 ton back-dump truck and a 1994 Terex 35 ton back-dump truck. Both of these older trucks have been scheduled for replacement in the Rock Quarry's future capital improvement plan. If Oconee County purchased a new Terex 40 ton back-dump truck the estimated cost would be at least \$500,000. These two older back-dump trucks, a 1986 Caterpillar 980C loader and a 1982 Fiat FD30 crawler comprise the trade in of \$67,000. (See details in attachment) With the addition of the 2002 Terex 40 ton back-dump truck, all of the Rock Quarry's back-dump trucks would then be the same make and size. The two smaller trucks to be replaced are smaller in hauling capacity and utilizing three 40 ton Terex trucks would result in quicker turnaround to and from the crushing plant as well as savings in costs for fuel, tires, miscellaneous parts, one software program for trouble-shooting and better utilization of personnel.

SPECIAL CONSIDERATIONS OR CONCERNS:

The quoted price for the used 2002 Terex 40 ton back-dump truck is good through March 31, 2009. This truck will then be scheduled for an overseas heavy equipment auction. Interstate Equipment Company has offered to pay the travel expenses of up to \$3,000 for personnel from the County to go to Irvin, Texas to inspect the truck, which will be discounted from the cost of \$116,923. After inspection, if the County decides not to buy this truck then those travel expenses will be paid from the Rock Quarry Capital Equipment Replacement fund.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? There is no ordinance that deals specifically with the purchase of used equipment. Interstate Equipment Company is the only authorized dealer in South Carolina for Terex and this purchase will therefore qualify as a sole source procurement under Procurement Ordinance 2001-15 guidelines.

STAFF RECOMMENDATION:

Staff recommends award of the purchase of one used 2002 Terex, TR-40 back-dump truck to Interstate Equipment Company, Columbia, SC as the authorized dealer for the discounted amount of \$183,923, less a trade in amount of \$67,000 for a total cost of \$116,923, providing the on-site inspection of the truck in Irvin, Texas is favorable.

FINANCIAL IMPACT:

The funding for this purchase will come from the budget line item: Capital Equipment Replacement (017-719-50841). Funds will be transferred from the Rock Quarry Investment Account to cover this purchase. The price of \$116,923 includes delivery from Irvin, Texas to the Rock Quarry, two-day set up by authorized Terex dealer, removal of all trade-in equipment and additional reimbursement of travel expenses up to \$3,000 for inspection, if truck is purchased.

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head/ Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

ATTACHMENTS

1. Proposal from Interstate Equipment Company dated February 25, 2009.
2. Authorized Dealer letter from Interstate Equipment Company.

Reviewed By/ Initials:

_____ County Attorney



_____ Finance

_____ Grants



_____ Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Dale Surratt, County Administrator

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PROPOSAL TO

DOONZE COUNTY
Mr. Rich Martin





122 Gardner Terrace Road PHONE (803) 734-7400
W. COLUMBIA, SOUTH CAROLINA 29172-2612 FAX (803) 734-0890

February 25, 2009

Mr. Rick Martin
Oconee County
Rock Quarry
686 Rock Crusher Road
Walhalla, SC 29691

Dear Rick,

Per Mike Dodson's request we are pleased to submit the attached quotation on a Used 2002 Terex Truck for your consideration.

Price is F.O.B. your jobsite but does not include any applicable taxes.

We appreciate your interest in our equipment and if you have any questions, please give us a call.

Sincerely,

INTERSTATE EQUIPMENT COMPANY



Jerry Gaines
Branch Manager

cc: Vic Gilbert
Mike Dodson

Home Office:
P.O. Box 668
STATESVILLE, N. C. 28687-0668
Phone (704) 879-8048
FAX (704) 872-8071

"CONSTRUCTION AND INDUSTRIAL EQUIPMENT"

P.O. BOX 3886
CARY, N. C. 27519-2886
Phone (919) 487-1801
FAX (919) 481-0875



PROPOSAL TO

OCONEE COUNTY QUARRY

WALHALLA, SC

FEBRUARY 24, 2009

ONE (1) USED 2002 YEAR MODEL, TEREX RIGID FRAME TRUCK, MODEL TR-40

SPECIFICATIONS AND INFORMATION PER ATTACHED SHEETS.

Price will include delivery to your jobsite, pick up and removal of any trade in equipment, factory authorized mechanic on your jobsite for 2 days to in-service machine.

USED TR-40 \$ 183,923.00

LESS TRADE IN EQUIPMENT:

1989 Euclid R25 truck — \$ 14,000.00
1994 Terex 3305 truck -- \$ 21,000.00
1986 Caterpillar 980C loader -- \$ 20,000.00
1982 Fiat FD36 crawler -- \$12,000.00

TOTAL — Less \$ 67,000.00

Your Investment \$ 116,923.00

Price is for this particular machine and machine is subject to prior sale, if machine is available, this quoted price is good thru March 31, 2009.

NOTE:

Price does not include any applicable tax and all trade-in equipment should be in running condition as when inspected for trade in.

No warranty either expressed or implied on used equipment.



2002 Terex TR-40 Truck

- 10016 original hours on hour meter
- Truck was in coal mine in South Africa from new in 2002 until 2006, truck sent to US in late 2006 or early 2007. Approximately 8000 hours on unit.
- Truck was leased to aggregate company in Texas from June 2007 until June 2008. Used only for hauling sand and finished product, no pit hauling.
- Less than 2000 hours put on machine while leased.
- Machine was maintained by Terex dealer while on lease. Performed routine services and any repairs.
- All fluids (engine oil, transmission, and hydraulic) were serviced and replaced along with filters in Nov./Dec. 2008. There are no fluid analysis reports available and reports for newly changed fluid will not be effective.
- Main bearing kit installed late 2008, this was due to oil pressure readings but this is a recommended regular maintenance procedure by Cummins for this engine and these hours. Authorized Cummins dealer performed engine work.
- Radiator rebuilt in December 2008.
- Tires will be 4 new Bridgestone recaps with 2 used tires rated at minimum of 50% on inside rear.
- Truck was sandblasted and painted in December 2008.
- This machine is located in Texas; we can set up a live video feed demo over the internet.
- While we cannot cover cost up front if you want to send personnel to inspect machine in Texas, if you purchase the machine, we will reimburse expenses (travel, accommodations, meals) to Oconee County for personnel sent to inspect the machine, up to \$3000.00. Either by direct payment back to Oconee County or by price reduction of the machine.



Terex TR40, 2002 year model, 10016 hours
Capacity 40 tons - 31.2 yd

Equipped with:

Cummins N14C-475 444 net FWHP
Dual Retarder
Nitrogen/Oil suspension
Tires - Goodyear 18:00R33
Allison M5610A Transmission w/ integral retarder
Oil Disc rear brakes
Air conditioned, sound suppressed cab

Powertrain - Engine, Transmission, Torque Converter,
Planeteries (rear), Differential (rear), Retarder
Rear Brakes
Front Brakes
Aux. Steering system
Steering Linkage
Bed - Floor liner in front half
ALL RATED VERY GOOD

Frame - RATED EXCELLENT





20 January 2009

Rick Martin
Oconee County
686 Rock Crusher Road
Walhalla, SC 29691

Re: Interstate Equipment Co.

Dear Mr. Martin:

Per our Dealer Agreement executed between Terex Corp. and Interstate Equipment Co. I am pleased to confirm the fact that they are the only authorized Dealer in the Carolinas for the Terex Rigid Frame Truck Line.

If you have any questions please don't hesitate to contact me.

Very truly yours,

Greg Gustafson

Greg Gustafson
Regional Sales Manager
Terex - Mid-Atlantic
716-863-0576
Greg.Gustafson@Terex.com

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: March 17, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Proposed Utica Mill Village Sewer CDBG Funded Project

BACKGROUND OR HISTORY:

The City of Seneca provides electricity and public water and sewer service to residents of Seneca and to the unincorporated population in close proximity to the City. In 2007, the City of Seneca worked to secure an \$870,000 Community Development Block Grant (CDBG) from the SC Department of Commerce to upgrade the sewer service in the Utica Mill Village and to alleviate a documented health threat. SC Commerce administers the rural portion of the federal CDBG program in South Carolina. CDBG funded projects are designed to assist citizens who are considered to be "Low to Moderate Income" (citizens who make 80% or less than the county median household income). CDBG funds are used in a variety of ways, including upgrading or expanding public water and sewer systems. The 2007 Utica Mill Sewer Project included the upgrade of the sewer system on four streets and due to the bids received on this project, several other streets have been added. The City of Seneca is committed to improving the quality of life of the residents of the Utica Mill Village by upgrading and modernizing the sewer system in the neighborhood.

Project Description

This proposed Utica project entails upgrading existing deteriorating sewer lines on three streets, by increasing the line size from 6 inch to 8 inch lines and moving the service connections to the front of the houses. There will be approximately 90 service line connections (the reconnection of the existing homes). There will be no cost to the residents for this improvement. All Low-to-Moderate Income (LMI) service connections will be covered by the grant funds and the City of Seneca will cover the non-LMI service connections. All construction will be done on public right-of-way. The total estimated cost for this project is \$500,000 and a 10% required match (\$50,000) will be paid for by the City.

Recent Rule Change by US HUD

The US Housing and Urban Development (HUD) administers the overall CDBG program. At the beginning of 2009, HUD mandated that all new HUD funded projects are to be located inside the jurisdiction that has requested HUD funds. The current Utica project is "grandfathered", but any new project would have to meet this new HUD requirement.

SPECIAL CONSIDERATIONS OR CONCERNS:

Due to the HUD rule change, the City of Seneca cannot apply for CDBG funds to continue its sewer improvements in the Utica Mill Village. However, the City is committed to improving the sewer system in Utica. Therefore, the City of Seneca is requesting that Oconee County be the applicant for this proposed CDBG project and that the City and County enter into a sub-recipient agreement (should the project be funded) for administration of this project.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]

If no, explain briefly:

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

STAFF RECOMMENDATION:

Staff recommends that Osance County be the applicant for the proposed CDBG project. The County and City of Seneca should have a Memorandum of Understanding regarding the administration of this project should it be funded.

FINANCIAL IMPACT:

There is no financial impact to the County. It should be noted, however, that some paperwork will pass through the Grants Administrator's office for review and processing.

The total estimated cost for this project is \$500,000 (CDBG funds) and a 10% required match (\$50,000) will be paid for by the City.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: **Yes**

If yes, who is matching and how much: The total estimated cost for this project is \$500,000 (CDBG funds) and a 10% required match (\$50,000) will be paid for by the City.

ATTACHMENTS

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Grants

_____ Procurement

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:

Dale Surrett, County Administrator

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**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: March 17, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

The Oconee County Sheriff's Office requests approval to apply for the FY 2009 Edward Byrne Memorial Justice Assistance Grant.

BACKGROUND OR HISTORY:

The Edward Byrne Memorial Justice Assistance Grant is administered by the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This program supports the efforts of local governments to prevent and control crime and to improve the criminal justice system. These funds are allocated based on population and crime statistics. **No matching funds are required from Oconee County.**

This Edward Byrne Memorial Grant has been supplemented through funding from H.R.1 American Recovery and Reinvestment Act of 2009 ("The Stimulus Bill"). This grant is a non-competitive allocation.

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will be used to acquire law enforcement equipment and technology.

- **Oconee County Sheriff's Department**
Edward Byrne Memorial Justice Assistance Grant - \$107,000
There is **NO** local match required.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes/ No [review #2001-15 on Procurement's website]
If no, explain briefly:

STAFF RECOMMENDATION:

Approval to apply for FY 2009 Edward Byrne Memorial Justice Assistance Grant.

FINANCIAL IMPACT:

Edward Byrne Memorial Justice Assistance Grant - \$107,000

NO local match required.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS

Are Matching Funds Available: N/A
If yes, who is matching and how much: N/A

ATTACHMENTS

Reviewed By/ Initials:

_____ County Attorney  _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:


Dale Surratt, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials' responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

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Oconee County
Council Office



Oconee County
Administrative Offices
414 South Pine Street
Wahalla, SC 29691

www.oconee.org

Phone: 803 718 1023
Fax: 803 718 1024

E-mail:
nhulse@oconee.org

George C. Bunchard
District I

Wayne McCall
District II

Mark Surratt
District III

Joel Thrift,
Vice Chairman
District IV

Reg Dexter
Chairman
District V

MEMORANDUM

TO: Council Members
County Attorney
County Administrator

FROM: Beth Hulse, Clerk to Council

DATE: March 13, 2009

CC: Veronda Holcomb-Lewis / Grants

RE: **Agenda Item Summary for Discussion on March 17, 2009
Sheriff's Department request for approval of FY09 JAG Program.**

Gentlemen:

Attached is an agenda item summary that Mr. Dexter has approved to be added to the March 17, 2009 meeting for discussion and action. This item is being submitted for your consideration from the Grant's Department. They received this information after the deadline for submission for material for the March 17th meeting, HOWEVER, since the deadline for a decision on this matter would fall before the first meeting in April, Mr. Surratt asked that this matter be added to the agenda for your review.

Mr. Dexter will ask that a member make a motion at the 3/17 meeting to have the agenda amended so this item can be reviewed and discussed.

As always, if you have any questions, please don't hesitate to give me a call.



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: March 17, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

The Oconee County Sheriff's Office requests approval to apply for the FY 2009 Justice Assistance Grant Program (JAG).

BACKGROUND OR HISTORY:

The purpose of the JAG Program is to assist units of local government in carrying out specific programs which offer a high probability of improving the functioning of the criminal justice system. In accordance with the JAG, grant funds may be awarded for the purposes of: enforcing state and local laws that establish offenses similar to the offenses established in the Controlled Substances Act (21 U.S.C. 801 et seq.); improving the functioning of the criminal justice system; and emphasizing prevention and control of violent crime and serious offenders. Grants may provide for personnel, equipment, training, technical assistance, and criminal justice information systems for the more widespread apprehension, prosecution, adjudication, detention and rehabilitation of persons who violate criminal laws.

This JAG has been supplemented through funding from H.R.1 American Recovery and Reinvestment Act of 2009 ("The Stimulus Bill").

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will be used to fund two new positions (Crime Scene/Forensic Investigator & Methamphetamine Enforcement Officer) at the Sheriff's Department. The matching requirement for this special JAG solicitation has been suspended and the grants will be awarded with 100% federal funds. Position expenses (salary, fringe, and benefits) as well as needed equipment are acceptable requests.

Projects may be funded on a yearly basis for a period not to exceed three years. While there is never a guarantee of continuation of funding for any program or project, it has been our experience that funding continues for three years given proper grant administration. For example, we held both a Criminal Domestic Violence Investigator Grant and Child/Child Abuse Investigator Grant for a three year period.

Crime Scene/Forensic Investigator

Base annual salary = \$35,847
PORS retirement = \$3,961 (formula = .1108 x salary)
FICA tax = \$2,742 (formula = .0765 x salary)
Workers Comp. = \$1,111 (formula = .030994 x salary)
Health Ins. = \$9,672 (\$806.00 x 12 months)

Overtime \$3,000
Uniforms \$900
Weapons/Equipment \$6,000
Equipped Vehicle \$31,000
Training \$5,000
Office Furniture \$1,500
Phone/Pager \$400
Phone/Pager Service \$1,700

TOTAL = \$102,833

Methamphetamine Enforcement Officer

Base annual salary = \$35,847
PORS retirement = \$3,961 (formula = .1108 x salary)
FICA tax = \$2,742 (formula = .0765 x salary)
Workers Comp. = \$1,111 (formula = .030994 x salary)
Health Ins. = \$9,672 (\$806.00 x 12 months)

Overtime \$5,000
Uniforms \$900
Weapons/Equipment \$6,000
Equipped Vehicle \$34,000
Training \$5,000
Office Furniture \$1,500
Phone/Pager \$400
Phone/Pager Service \$1,700

TOTAL = \$105,833

Council has directed that they receive their agenda packages a week prior to each Council meeting; therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

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TOTAL Grant Request - \$208,666

No match required

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes/No [review #2001-15 on Procurement's website]
If no, explain briefly:

STAFF RECOMMENDATION:

Approval to apply for EY 2009 Justice Assistance Grant Program

FINANCIAL IMPACT:

Justice Assistance Grant - \$208,666

NO local match required.

Council should be aware that while projects may be funded on a yearly basis for a period of three years, there is never a guarantee of continuation of funding for any program or project. Upon completion of this grant the salaries, fringe, and benefits will be the responsibility of the County should funding of these positions continue.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available? None required. However, future year funding of salaries after grant ends should be considered.
If yes, who is matching and how much: N/A

ATTACHMENTS

Reviewed By/ Initials:

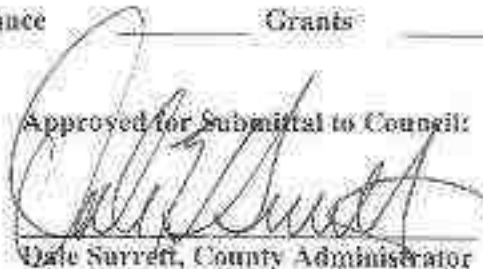
_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:



Dale Surratt, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

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Beth Hulse

From: Veronda Lewis
Sent: Friday, March 13, 2009 11:48 AM
To: Dale Surrett
Cc: Beth Hulse
Subject: RE: Stimuli

Back to the drawing board... I think the Special Solicitation sent out by SCDCPS was a bit confusing. Additional expenditures related to the position, such as uniforms, weapons, vehicles, etc. are permissible requests. I collaborated w/ the Sheriff's Dept. this morning to revise the AIS. You will find it attached.

Thank you

Veronda

Veronda Holcombe-Lewis
 Oconee County
 Grants Administrator
 415 South Pine Street
 Waihalla, SC 29691
 Phone: 864-638-4236
 Fax: 864-638-4622

From: Dale Surrett
Sent: Thursday, March 12, 2009 4:49 PM
To: Veronda Lewis
Cc: Beth Hulse
Subject: RE: Stimuli

Veronda,

I will ask Beth to put it in front of Mr. Dexter for his decision. Both of these positions would be eligible for overtime and would likely incur both scheduled and unscheduled overtime. In addition there are the items such as uniforms, weapons, vehicles, equipment, training, etc. How do they intend on funding the other items?

Dale

From: Veronda Lewis
Sent: Thursday, March 12, 2009 3:45 PM
To: Dale Surrett
Cc: Beth Hulse
Subject: RE: Stimuli

Mr. Surrett,

Attached is the information you requested regarding the Justice Assistance Grant for which the Sheriff's Dept. wishes to apply. I went ahead and put it into AIS format even though the due date is past. It provides an assurance that no pertinent information has been left out. We appreciate consideration of this request.

Veronda

3/13/2009

Veronda Holcombe-Lewis
 Oconee County
 Grants Administrator
 415 South Pine Street
 Waltham, SC 29691
 Phone: 864-638-4236
 Fax: 864-638-4622

From: Dale Surratt
Sent: Wednesday, March 11, 2009 2:55 PM
To: Veronda Lewis
Cc: Beth Hulse
Subject: RE: Stimuli

Mr. Dexter and I spoke about these types of situations occurring and he said they would be understanding in the few matters that could not make the new schedule. Keep working on it and let me know when the SO is settled on what they are asking so I can give Mr. Dexter the heads up.

DS

From: Veronda Lewis
Sent: Wednesday, March 11, 2009 2:06 PM
To: Dale Surratt
Subject: RE: Stimuli

I have an issue. The JAG funding through the state has just been announced and applications are due April 11. We have missed the opportunity to get it on the next agenda for Council. What do you suggest? This one may be a bit more complicated as the Sheriff's Dept. is thinking they may wish to request funding for a new narcotics officer. Salary, fringe, and benefits would be funded by the grant @ 100% for three years, but after that time would have to be picked up by the County.

I will work on finalizing w/ the Sheriff's Dept. what they wish to request (they also threw around the idea of funding for gang crime reduction). Please let me know if there is a way for us to apply for this grant. I would hate to miss out on this opportunity.

Thanks!

Veronda

Veronda Holcombe-Lewis
 Oconee County
 Grants Administrator
 415 South Pine Street
 Waltham, SC 29691
 Phone: 864-638-4236
 Fax: 864-638-4622

From: Dale Surratt
Sent: Wednesday, March 11, 2009 1:39 PM
To: Lake Julian; Tabitha Harvey; Ronnie Smith
Cc: Veronda Lewis; Michael Thorsland (SDGC) (mthorsland@oconee.k12.sc.us); riboath@tctc.edu
Subject: Stimuli

http://www.sccounties.org/client_resources/services/research/recovery/recoveryresources_31109.pdf

Mention of school funding, "green" job training, public buildings energy efficiency and alternative vehicles..... FYI

3/13/2009

Budget, Finance & Administration Committee FY 2009-2010 Budget Workshop Meeting Schedule

Thursday	March 19, 2009	12:00 p.m.	Tri County Tech Budget Presentation to Council @ Hamilton Career Center [already scheduled @ advertised]
Monday	April 13, 2009	TBD	Administrator Presentation to Council FY 09-10 Budget - CHAMBERS
Tuesday	April 14, 2009	10:00 a.m.	SDCC Budget Presentation to Council - CHAMBERS
		7:00 p.m.	1 st Reading in Title Only [tentative]
Thursday	April 16, 2009	6:00 p.m.	Budget Workshop - CHAMBERS
Thursday	April 23, 2009	6:00 p.m.	Budget Workshop - CHAMBERS
Monday	April 27, 2009	6:00 p.m.	Budget Workshop - CHAMBERS
Wednesday	April 29, 2009	6:00 p.m.	Budget Workshop - CHAMBERS
Monday	May 4, 2009	6:00 p.m.	Budget Workshop - CHAMBERS - TENTATIVE if needed
Tuesday	May 5, 2009	7:00 p.m.	2 nd Reading [tentative - may be moved to 5/19 if additional workshop meetings required]
Thursday	May 14, 2009	6:00 p.m.	Budget Workshop - CHAMBERS - TENTATIVE if needed
Tuesday	June 2, 2009	7:00 p.m.	Public Hearing [TENTATIVE]
Tuesday	June 16, 2009	7:00 p.m.	3 rd & Final Reading [TENTATIVE]



Boards & Commissions

	George Blanchard District I 2012: Paul Mack	Wayne McCall District II 2012: Dan Suddeth	Mario Suarez District III 2012: Thomas Luke	Joel Thrift District IV 2012: Wayne Rhoadler	Reg Dexter District V 2012: Fred Golden	Delegation Office 2012: Robert Edwards	Other
Aeronautics Commission Anderson/Office Behavioral Health Services Commission	2011: Harold Alley, Wanda Long, Joan Black, Jere Dubois, Fred Hamilton, Billie Welsh, Robert Blessingame						
Arts & Historical Commission Assessment Appeals, Board of	2010: Rick Bellica N/A	2012: Luther Lyle N/A	2010: A. Robinson N/A	2012: Barbara Waters N/A	2012: Henry Richardson N/A	2010 - Jenny Begwell & 2012 - Stan Dubose Board Full	All Large
ATAX Committee	Not by District, by Industry 2011: Roger Mize N/A	Ginger Pope 2011: Neal Workman N/A	Geri McSwain 2009: Sam Shaw N/A	2010: Gerald Foster, Glen Abbot 2011: Vinson Smith N/A	2010: Glen Abbot 2011: Forest Fuller N/A	2011, Joanne Blake, Barbara Laughter, Doyle Burton	
Building Codes Appeal Board Disabilities & Special Needs, Board of	2012: Kim Alexander 2011: Tom Skutz 2009: Larry Harden, Dewitt Mize, Chris Smith, Richard Timms, Charles Bobby Williams	2010: Harold Gibson 2009: Jess Novell	2012: Hank Field 2011: Jay Heatherington	2010: Sam Dickson 2009: Nick Williams	2010: Buddy G. Hering 2009: Tim Grant	Board Full	
Economic Development Commission							Terms co-terminus w/ council members term
Emergency Services Commission Firemen's Insurance & Inspection Fund Board							
Infrastructure Advisory Commission ** Keowee Fire Tax District Commission	January 2010 Administrator Dale Spruell (FY county attorney attended as an advisory role) All Members elected to 4-yr term in November General Election / 2 in 2008, 3 in 2011, etc.						
Library Board	2010: Elin Moxengrow	2012: Dwight Adkins	2010: Wayne Frady	2010: Mildred Spasman	2010: John Carter		2010: Betha George
Parks, Recreation & Tourism Commission	2009: William Nelson	2009: Randy Abbott	2009: Bill Evatt	2011: Timmy Abbott	2009: Ryan Honea		2009: Rex Ramsay / Howard Moore
SC ACOG Board	January 2010	2010: Bob Winchester / Citizen Representative 2010: Reg Dexter / Council Representative					
Scenic Highway Committee Sewer Commission Water Board							
Zoning Board of Appeals	N/A January 2012	Inactive Board who members - may appoint in future if needed. 2012: Gary Winters	2012: Gary Littlefield	2012: Mike Wilmon	2012: Eric Mulin		All Large: 2012 Berry Nichols & Paul Revert
** Infrastructure Advisory Commission members serve until replaced							Council does not appoint this Board/Commission OPEN SEAT for this Board/Commission in current yr. NEXT ONE APPOINTMENT for Board/Commission

Transportation Committee:

- o County Roads
- o State Highways
- o Right-of-Way protection & acquisition
- o Condensation
- o Parking Facilities, Transportation Facilities & Services
- o Traffic Control
- o Railroads & Railroad Facilities
- o Roadside Appearance
- o Road Improvement Plans
- o All other matters related to Transportation

There will likely be areas of overlap and an issue may need to be discussed before one or more committees.

Committee Chairs might want to develop a minimum meeting schedule to have advertised so that citizens have a reasonable expectation of when their issue will be discussed/addressed. These meetings could always be cancelled if not needed and additional meetings could always be added. I would propose that Council adopt one of the the following schedules for the following committees [quarterly or every other month]:

OCONEE COUNTY COUNCIL - STANDING COMMITTEE MEETING SCHEDULE

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Budget, Finance & Administration **			X			X			X			X
Law Enforcement, Public Safety, Health & Welfare		X			X			X			X	
Planning & Economic Development	X			X			X			X		
Real Estate, Facilities & Land Management			X			X			X			X
Transportation		X			X			X			X	

** Budget, Finance & Administration will meet more frequently during the budget review process from March - June of each year. The Clerk to Council will advertise these workshop meetings.

OCONEE COUNTY COUNCIL - STANDING COMMITTEE MEETING SCHEDULE

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Budget, Finance & Administration **		X		X		X		X		X		X
Law Enforcement, Public Safety, Health & Welfare	X		X		X		X		X		X	
Planning & Economic Development		X		X		X		X		X		X
Real Estate, Facilities & Land Management	X		X		X		X		X		X	
Transportation		X		X		X		X		X		X

** Budget, Finance & Administration will meet more frequently during the budget review process from March - June of each year. The Clerk to Council will advertise these workshop meetings.

J. GRESHAM BARRETT
FEDERAL DISTRICT COURT, COLUMBIA


HOUSE COMMITTEES:
Budget
FINANCIAL SERVICES
INTERNATIONAL RELATIONS
STANDARD OF OFFICIAL CONDUCT

WASHINGTON OFFICE
EXECUTIVE OFFICE, OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-1001
FAX: (202) 225-3118

mailto:wwwritten@spring4909
March 15, 2009

Dale Surratt
County Administrator
415 South Pine Street
Wadmalaw, SC 29691

Congress of the United States
House of Representatives
Washington, DC 20515-4003

Copy to:
1) ~~Veranda~~
2) ~~S.O.~~
3) Beth for list to
CC on Tuesday


Dear Mr. Surratt,

I wanted to make you and your county officials aware of the Department of Justice grants being offered as a result of the passage of the American Recovery and Reinvestment Act. The Oconee County Sheriff's Department has been allocated \$107,155 by the Department of Justice through the JAG Program. The county must apply for this money by May 18th, 2009. This grant can be used for anything related to law enforcement, including court security except the purchase of real estate, construction (except for improvements to existing prison buildings), armored vehicles, "buy money", fully automatic weapons.

To apply you must have a DUNS number and a Central Contractor Registration (CCR) number. If you do not have a DUNS number, you can apply by going to www.dun.com. At this time you will need to take the option that allows you to get your number in less than 5 days. For a CCR number, you can apply at www.ccr.gov. To apply for the grant itself, you can go to <https://grants.epp.usdoj.gov/>.

The South Carolina Department of Public Safety has been awarded additional money for the state administered Edward Byrne Memorial Justice Assistance (JAG) Program. These grants are competitive and applications can be submitted through April 1, 2009 by 5:00 p.m. Grant applications can be made electronically by going to www.scdps.org/jag, looking under Quick Links and clicking on the GMIS Login. There you can sign in and begin your grant applications.

Other competitive grant opportunities available are:

- **COPS program** – Can be used for hiring new police officers. Funding is in place for up to 3 years. The grant process will begin after March 31st. This is 100% funding – no matches required.
- **VOCA grants** – Victim Advocates Victim of Crime Act. This is a matching grant.
- **VAWA grants** – Violence Against Women Act. This is a 75% - 75% matching grant.

For information on these grants and other funding opportunities please go to <http://www.scdps.org/jag>.

If you have further questions or need assistance please feel free to contact my office Grants Coordinator, Kathryn Wade at (803) 649-5571. I sincerely hope this information will be helpful for your county.

Sincerely,


J. Gresham Barrett
Member of Congress

JGB/kw

PLEASE RESPOND TO:

JAG'S OFFICE

ANDERSON OFFICE

SHERWOOD OFFICE